

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/784,829

Filing Date: February 8, 2001

Applicants: Jean Francois Uhl et al.

Group Art Unit: 3737

Examiner: Ruth S. Smith

Title: INTERACTIVE SYSTEM FOR LOCAL INTERVENTION
INSIDE A NONHOMOGENEOUS STRUCTURE

Attorney Docket: 5074A-000013/REA

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**PETITION UNDER 37 CFR 1.47(B) TO ACCEPT AN UNSIGNED SUPPLEMENTAL
REISSUE DECLARATION BASED ON A REFUSAL OF ALL OF THE INVENTORS**

Sir:

1. The subject application is currently assigned to Medtronic, Inc. as recorded at Reel/Frame 014384/0001. The chain of title includes an assignment of all of the inventors to Diadix S.A. (executed June 22, 1992; reel/frame 006370/0812); then the original U.S. Patent 5,868,675 was assigned from Diadix S.A. to Deemed International (executed on October 24, 1995; reel/frame 007785/0285), then from Deemed International to Elekta IGS S.A. (via a name change that was executed on August 14, 1997; reel/frame 009390/0742), and finally from Elekta IGS S.A. to Medtronic, Inc. (executed on December 14, 1999; reel/frame 014384/0001).

2. Medtronic, Inc. submits that the acceptance of the present unsigned Supplemental Reissue Declaration is necessary to preserve the rights of the present Assignee of record because if the present petition is not granted the subject application will be abandoned for failure to properly respond to the outstanding office Action mailed on August 1, 2011. The Final Office Action states that all of the claims are currently rejected based **only** on a defective reissue declaration.

3. A statement of facts pertinent to the inventors refusal to sign the present Supplemental Reissue Declaration is attached hereto under "Statement of Facts." The "Statement of Facts" is made by Michael L. Taylor, Reg. No. 50,521 attorney for Medtronic, Inc.

3. Medtronic, Inc. believes that the present mailing address for each of the named inventors is:

- A. Michel Scriban
72 Chemin de Crapon
69360 Ternay, France
- B. Joel Henrion
Apt H4, Residence Ambassadeur
Rue de Stade
02070 La Marsa
Tunisia
- C. Jean Francois UHL
199 avenue du Maine
Paris, France 75014
- D. Jean-Baptiste Thiebaut
42 boulevard Saint-Marcel
Paris, France 75005

Presently, however, Medtronic, Inc. is communicating with all of the inventors through their attorney in France:

Maxime Grange
Acess Avocats
63 avenue de Saxe
69003, LYON
FRANCE.

4. The Office is hereby authorized to charge the petition fee of \$200.00 per 37 CFR 1.17(g) for the subject petition to the Deposit Account 08-0750.

5. In light of the above and the included Statement of Facts, Medtronic, Inc. respectfully requests that this petition under 37 CFR 1.47 be granted to preserve the rights of the current assignee in the subject application.

CONCLUSION

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: Mar. 22, 2001

By: *Richard W. Warner*
Richard W. Warner, Reg. No. 38,043
Michael L. Taylor, Reg. No. 50,521

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

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